

MINUTES LEESBURG PLANNING COMMISSION NOVEMBER 18, 2004
JOINT MEETING

The Leesburg Planning Commission, along with the Environmental Advisory Commission and the Economic Development Commission met in joint session on Thursday, November 18, 2004 in the Lower Level Meeting Room of the Town Hall, 25 West Market Street, Leesburg, Virginia. Staff members present were David Fuller, Wade Burkholder, Nick Colonna, Steve McGregor, Chris Murphy, Bruce Douglas and Linda DeFranco.

CALL TO ORDER

The meeting was called to order at 7:00pm by Chairman Vaughan.

ROLL CALL

Planning Commissioners Bangert, Barnes, Hoovler, Jones, Kalriess, Wright, and Mayor Umstattd and Chairman Vaughan were in attendance.

ADOPTION OF AGENDA

Commissioner Jones moved to adopt the agenda as presented.

Motion: Jones
Second: Hoovler
Carried: 7-0

APPROVAL OF MINUTES

Commissioner Bangert moved to adopt the minutes of the September 16, 2004 meeting as noted.

Motion: Bangert
Second: Jones
Carried: 7-0

Commissioner Hoovler moved to adopt the minutes of the October 7, 2004 meeting.

Motion: Hoovler
Second: Kalriess
Carried: 7-0

Commissioner Bangert moved to adopt the minutes of the October 20, 2004 special joint meeting. Chairman Vaughan abstained from the vote.

Motion: Bangert
Second: Wright
Carried: 6-0

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PREVIEW CASES

SE2004-0006 – Catoctin Circle Center – Bank with Drive Thru

SE2004-0007 – Catoctin Circle Center – Private Parking Structure

Chris Murphy, Senior Planner

The report that was presented to the Planning Commission recommended denial of the special exception application for failure to provide the minimum required landscaping, minimum required parking spaces and failure to adhere with applicable lighting requirements.

Commissioner Bangert questioned the statement for justification of the modified 24.5 foot wide buffer with a six foot high brick wall along the boundary.

Chris Murphy responded that the Zoning Ordinance requires a 35 foot buffer yard, but does allow for a 1/3 reduction of the buffer when a six foot high brick or stone wall is constructed; however, a request for modification has not yet been received.

Commissioner Kalriess asked if the size of the parking garage was not included in the application.

Chris Murphy stated that yes, the size was set out; however with the other uses proposed on the site, the maximum number of spaces that the garage can accommodate, along with the number of surface parking spaces left a deficit of 110 parking spaces.

Commissioner Jones asked about connectivity with the Leesburg Plaza. Commissioner Jones said that adequate connectivity would be very important to this project. A representative of the applicant stated that a connection is proposed.

Commissioner Bangert asked about the process of shared use parking and whose responsibility it was to enforce it. Chris Murphy responded that the applicant needs to clarify the parking proposal in light of regulations permitting shared parking; the Land Use Official will then review this and make recommendations to the Planning Commission.

Commissioner Hoovler asked when the public hearing on this was scheduled. It is scheduled on December 2, 2004.

ZOAM 2004-03 – To create a Temporary Commuter Parking Lot use in the B-2 Zoning District and to modify the Definition of a Commuter Parking Lot. Wade Burkholder, Senior Planner.

The report recommended approval of a Zoning Ordinance amendment according to Resolution 2003-161.

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Commissioner Wright suggested further standards for Section 9.3.23.1 to tighten the wording up somewhat.

Commissioner Bangert asked what would happen if rail were extended to the area and the use of commuter busses drops. How would this impact the use of the parking area?

Wade Burkholder replied that the wording in the Zoning Ordinance, limiting the lot to a temporary use, would take care of this.

CHAIRMAN'S STATEMENT

None

PETITIONERS

Juan Bocher of 398 Claggett Street came forward as a representative of Keep South Leesburg Beautiful. Based on the joint meeting of October 20, the group came up with citizen feedback. This citizens' group is requesting that a glossary of terms be provided within the town plan. With regard to the Housing element, they want the infrastructure put into place to support the future growth. They are asking that staff work with state legislators to assure that this takes place. Under Economic Development they encourage several small businesses be attracted to the area rather than one large business. One large business would be a greater loss should it close. Lastly, under Natural Resources they are asking for a better definition of the goals, need a definition of "ecologically valuable land" and would like to know what the environmental monitoring system would be. Solid waste disposal should also be added as an objective. Lastly, they want to make sure the goals address transportation, parks and recreation, fire and rescue, police, solid waste, sewer and water and schools.

Brian Rallston of 602 Newington Place came forward to ask for consideration of historic places and open space. He specifically referred to the Paxton property and asked that this property and once similar to it be considered and made a part of the Town Plan.

PUBLIC HEARING

None

SUBDIVISION AND LAND DEVELOPMENT

None

ZONING

None

COMPREHENSIVE PLANNING

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At this time the meeting went into joint session with the Economic Development Advisory Commission (EDC) and the Environmental Advisory Commission (EAC).

Environmental Advisory Commission members present were Bingol, Martohue, Eid and Schonberger. Members Replogle, Dolgin, and Samuel were absent.

Economic Development Commission members present were Michell. Members Jones, Bagdasarian, Kane, Phillips, Werner and Dunn were absent.

The Parks and Recreation Commission was represented by Chairman Terry Young, Peggy Coleman and Katie Hammler.

Mr. David Fuller, Chief, Comprehensive Planning, provided a brief introduction of the three chapters of tonight's presentation to the Planning Commission. They include Cultural Resources, Bruce Douglas, Sr Planner; Parks and Recreation, David Fuller; and Community Facilities and Services, Nick Colonna, Sr. Planner. He went on to say that the final background papers on Transportation, Land Use and the Urban Growth Area would be presented at a joint meeting scheduled for January 20, 2005.

Ken Reid of the EAC asked that the Comp Planning department consider devoting more time for these next three topics. He felt that these were huge issues and should not be reviewed quickly.

Bruce Douglas gave the overview of the Cultural Resources element of the Town Plan. Including the Parks and Recreation Master Plan and County plans is important. Conservation of resources is key. Addressing urban design as a whole, setting up regulations and guidelines and coordinating the JLMA areas for design should also be an integral part of the plan.

The goals of this element are to identify, protect and restore Leesburg's historic and archeological resources in recognition of their significance to the town's identity; and for Leesburg to have an attractive and functional urban design. The seven objectives are designed to help reach these goals.

Ken Reid asked whether there shouldn't be a specific inventory of buildings. He is concerned that private owners are not maintaining the buildings. While the BAR has strict guidelines on signs, etc., there is nothing in place to keep them looking good.

Bruce Douglas referred back to the goals and objectives and said that this would cover this area. Mr. Reid said that code enforcement needs to be stated.

Mr. Reid went on to reference the term "viewshed". He asked if the term scenic areas and corridors could be used in its place. He found the use of the term sprawling objectionable. He asked that these elements not politicize where people live.

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Bill Michell of the EDC asked for clarification of the term urban design. He agreed with the code enforcement of maintenance of buildings.

Commissioner Jones referred to the 1997 Town Plan and said in it several terms were older neighborhoods, could this be considered traditional? All of the design standards set forth don't seem to have found their way into the DCSM or the Zoning Ordinance. There needs to be a vehicle of implementation.

Commissioner Kalriess asked where viewsheds were defined under the draft objectives. Bruce Douglas responded it was under the urban design element. Mr. Kalriess went on to ask about the design guidelines and how they can be made defensible. David Fuller responded that urban design is not just aesthetics, it also relates to functional issues. Much can be put into zoning regulations, as was recently done with the form-based code for Columbia Pike in Arlington.

Commissioner Hoovler agreed on the definition of urban design. He would like to see it mirror the town's historic district. He also feels that museums, and the arts should also be included in this element. These are things that the citizens also expect in a community. Festivals and community programs are also an integral part of the community and should be included.

Under managing the development review process, do proactive things with developers, work collaboratively. Under number 5, reviewing existing town regulations, which regulations are we talking about? Perhaps these policies need to be more specific. It is important to maintain our current zoning standards while incorporating the urban design process.

Commissioner Bangert commented that the word urban can be equated with density and intensity. "Cluster" was one term that needed redefining. We need to have specific definitions so that we can implement what we really want in Leesburg.

Chairperson Vaughan commented that when defining the term urban, concept versus definition needs to be specific. Some of the concepts, narrower streets for traffic calming, grid pattern, etc. are favored by some and opposed by others. We need to define what is meant for each individual application.

Commissioner Bangert asked about the term "protect and restore". What does this mean, are we asking Council to spend money?

Bruce Douglas commented that all in all this document will be an aid in planning new development and redevelopment.

Chairman Vaughan asked about the expansion of the historic district. David Fuller responded that this will be researched and defined and eventually will result in an amendment to the Zoning Map.

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Mayor Umstattd cautioned that not everyone is receptive to being included in the H-1 district. This can be a considerable additional cost to the homeowner. Also, imposing a grid system can have some negative effects. Some people like to live on cul-de-sacs. With regard to viewsheds, private ownership could be one way to protect these.

Ken Reid asked if the term viewsheds was in the current town plan. The response was yes. He agree with the Mayor in not trying to impose a theory on existing neighborhoods. Just because they don't look like the historic district, don't discount the feel of the newer neighborhoods. Be wary of the language being used, and think about what concept is being proposed. Being able to walk to work sounds good, but won't be around long. People change jobs too much. Don't micromanage.

Bill Michell questioned the word "design" and asked if the term "historic feel" couldn't be used in its place.

David Fuller responded that the term urban design is a broad and generic term used in the planning profession. Each community can define this as it fits into their own scenario.

Ken Reid asked how expansion of the historic district will help or hinder redevelopment of a specific area. Would it be an advantage to property owenrs in the down town area?

David Fuller responded that it would probably result in additional costs for property owners, but they would also benefit from the improved environment.

Commissioner Kalriess stated that we are benefiting from the urban design standards. Without these we would have urban blight. He simply asked that this be considered when reviewing the future of Leesburg.

David Fuller gave the background of the Parks and Recreation Element. The major findings were the expansion of existing and new parks, sports fields and facilities. The 2002 Master Plan should be incorporated into the new town plan. Many concepts in the master plan do not need to be included because they will be covered by other elements of the town plan. This master plan will remain a guiding document, and should be updated in conjunction with the 2010 town plan update. There are some inconsistencies with the town plan and the county master plan that need to be resolved.

The goal of this element is to have a comprehensive, town-wide park system that serves the needs of the community both cost effectively and environmentally. This can be accomplished by developing innovative opportunities for creating open space, expanding the town's trail network, protecting greenway corridors, ensuring a balanced distribution of recreational facilities in all areas of town and expanding facilities as growth dictates.

Robin Martohue asked if this would tie in with the impact on wildlife preservation, watersheds, etc. of the Natural Resources element. David Fuller responded that elements would reinforce each other.

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Ken Reid said that the Tavistock playground was not part of the inventory and should be included. The idea of a mini park should be broadened to include park bench areas in selected portions of town.

Terry Young, Chairperson of the Parks and Recreation Commission, acknowledged that they support the Parks and Recreation element.

Bill Michell said that it is very important to make sure that the trails connect to the rest of the town.

Commissioner Jones pointed out the stream basins, floodplains and watersheds need to become a part of the town plan. These features should be enhanced and protected as part of the recreation element also. Bruce Douglas said that this would be addressed in the stream corridor overlay district.

Commissioner Hoovler asked for a definition of open space and a standard for this definition. Isaac Walton park is an opportunity that was not referenced in this element. Are the goals and objectives in this element in sync with the 2002 Master Plan? David Fuller responded that five of the eight objectives in the Master Plan were used as the element's objectives. Mr. Hoovler went on to say that it is imperative that there are annual reviews of the plans to measure compliance and to keep up with necessary changes.

Commissioner Bangert asked if there was a fiscal impact committee, she asked that the word "creating" be added to protecting and enhancing, and suggested that rather than using the word "expanding" Ida Lee the word "monitor" the need for expansion as the town grows.

Commissioner Wright stated that we are currently aware of several applications coming in, so we need to mark land for trails now. Also, he asked if the P&R Master Plan will be referenced as the other resource to the Town Plan.

Mayor Umstatt said that the Tuscarora Creek valley would be a good candidate for a linear park. She recognized Gem Bingol for her further comment on this.

Gem Bingol referred to active versus passive. In terms of tying the environmental element and making this a passive area does work. There needs to be something in place to manage these areas though.

Commissioner Hoovler said the watershed should be included, again being subject to an annual review to monitor management.

Ken Reid asked about the maps, specifically will there be a future trails map? David Fuller responded that yes, there will be a future trails map.

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Larry Schonberger commented that the goals and objectives, as written, do not dovetail with the findings of the drafts. An example is the historic and archaeological comments don't mesh with the urban design portion. Some statements are contradictory. There doesn't seem to be a common thread.

Councilmember Hammler said that she had also noticed this.

Mr. Schonberger went on to say that there is a lot of good work in the element; however, sometimes one needs to step back to make sure that wires are not crossed. Care must be taken to not only integrate the elements, but to strengthen this integration throughout the plan.

Nick Colonna then presented the Community Facilities and Services element. The goal of this element is for the town government to respond to citizens' needs by providing community facilities and services that contribute to the community's quality of life in a cost effective, equitable and environmentally sound manner.

Objectives to achieve this include a townwide public participation plan, develop standards for levels of service, maintain working relationships with other providers of community facilities and services to meet the needs, balance growth and development decisions, appropriately fund provision and maintenance of facilities and services, provide a quality water supply, provide high standards for wastewater treatment, provide stormwater management for new development and redevelopment projects, street tree planting and management program, provide environmentally sensitive waste collection and recycling programs, increase public safety, maintain and expand library facilities, work with the County on future school site locations, and create a public/private partnership program for technology infrastructure that will improve economic development opportunities.

Mayor Umstattd commented that depending on the development that takes place in the Bolen Park area, it could require a small pump station for minimal development or a large pump station for major development. All of these types of areas need to be monitored closely.

Commissioner Wright asked if we couldn't require future library sites as proffers. He asked about the future of broadband. With regard to water and sewer, it should be extended only within the town unless it goes through an approval process for other development. Identifying future and proposed school sites is important.

Commissioner Bangert is in favor of the public participation process being expanded. With regard to objective #3, maintaining working relationships with other providers... , exactly who are we referring to? The county? The Sheriff, etc? This goes to the double taxation issue where people are in essence contributing to the county sheriff's department, but are not reaping any benefit from it. In reference to objective 4, this depends on the fiscal impact committee and its findings. Number 5 – what is appropriate funding? Taxes, grants? This needs some further definition. Maybe state public private

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partnerships, or grant funding. Numbers 6 and 7 need definition on who will supply and maintain water, wastewater and could even include transportation. Number 8 needs the statement about “best management practices”. Number 10 needs to include business recycling and lastly, the town should not be responsible for supplying land for schools. Leesburg’s population cannot possibly double since it is almost entirely built out.

Commissioner Hoovler stated that the school site issue should not be an objective of this element. A public participation plan is good, but add the words “develop opportunities” for participation. Be more specific in objectives and provide more in depth information.

Commissioner Kalriess is concerned with implementation of the objectives. With reference to item 2 and 3, he needs more information. Number 4 with regard to public facilities should be included in the CIP. Numbers 6 and 7 can almost be combined. In number 8 do we mean new development must meet current standards? In number 9 should this be referred to as streetscape management program rather than street tree planting. With proposed development in the southern area of our UGA area, has this been considered as a major population area. Will there be adequate facilities and services?

Commissioner Jones referenced objective 17 and said that it is essential that broadband be addressed. He urged Leesburg to take an aggressive role in assuring that this takes place. Using the term BMP must be done carefully. This is only an effective term while it is active. BMPs must be followed up on after development.

Bill Michell agreed with the broadband issue and said it was critical to the growth of the town with regard to businesses and home based businesses. He also urged that the town keep a careful eye on the JLMA development and actively have a say in it.

Ken Reid, combine items 2, 15 and 16. Setting a set of standards in conjunction with the county and add the term “location.” Tighten the language in number 8, and with regard to the streetscape, can we require developers to save trees? Facilities in the southern portion of Leesburg, especially a fire department, would be important.

Robin Martohue asked why there are no recycling containers in Leesburg’s parks or recreation facilities? Recycling needs to be made easier for downtown businesses. It is not appealing to put this out front and ask customers to walk around it.

Gem Bingol said that one and 17 tie together with regard to public participation and broadband technology. Another critical part of the support system ties these issues to the Environmental element. Something should be added to protect the water supply with regard to potential pollution. She didn’t feel that 6 and 7 could be combined. Number 8 speaks to the connection between environment and community facilities. Strengthening this is important.

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Mayor Umstattd said that new development grade should be at the same level as existing development grade. Many times new development was at a higher level and the runoff went into the existing development.

Bill Michell would like to see the term “meets or exceeds” with reference to all standards.

Councilmember Hammler summarized some of the comments brought forth during this discussion. She would like a better definition of the public participation plan, research the revenues regarding public/private partnerships with regard to library expansion and other facility expansion.

Gem Bingol stated that the wastewater treatment plant needs to work on odor control. She was told that this is already in progress.

COUNCIL AND REPRESENTATIVE’S REPORTS

Mayor Umstattd reported on the Bolen Park meeting. Care must be taken to monitor the number of homes and the amount of development in regard to sewer and water service, the transportation impact and the revenue in regard to land value. One proposal will add more than 50,000 trips per day onto existing roadways in the Bypass, East Market Street area. Currently the developer is depending on the Greenway expansion to handle his added impact on local roads.

The Mayor went on to refer to a presentation on planning in Germany where an airflow impact is utilized. This is something that the Commission may want to view and discuss sometime in the spring.

There was brief discussion regarding the road improvements and the timing of their construction.

STAFF AND COMMITTEE REPORTS

Bridget Bangert attended the EAC committee meeting. They are proposing an aggressive ad campaign regarding the Dominion Power lines with Save the Trail and undergrounding as the primary focus. Another campaign will focus on recycling and working with businesses and recycling.

David Fuller announced that Sr. Planner Nancy Kitchens is on leave until sometime in February. He introduced Steve McGregor as an additional planner in the department to assist in the Town Plan Update.

Chairman Vaughan attended the BAR meeting. He reported that the main discussion was on the Villages of Leesburg and the fact that it doesn’t fit within the footprint. The big box look and the parking structures have created some challenges, along with the streetscape.

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OLD BUSINESS

Commissioner Kalriess asked if the UGA/JLMA areas could be a topic of discussion at the next meeting. This would be an information sharing and gathering type discussion. He handed out a whitepaper on the subject that he and Commissioner Jones had prepared.

Commissioner Hoovler asked about the joint cooperation between the town's PC and the county's PC. What is our approach at this point?

Commissioner Bangert said that the County Planning Commission needs to give guidance to the Board of Supervisors – they will need an action item to vote on the direction of this.

Chairman Vaughan said he had set up a meeting in early December and will report back to the Commission after that meeting.

NEW BUSINESS

Commissioner Hoovler asked about the meeting schedule in December. After brief discussion among the members, it was decided to keep the second meeting in December on the schedule.

ADJOURNMENT

The motion was made and seconded to adjourn at 10:03pm.

Prepared by:

Approved by:

Linda DeFranco, Commission Clerk

Clifton Vaughan, Chairman

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